

MINUTES MEETING
Town of Halfmoon Planning Board
June 13, 2016

Those present at the June 13, 2016 Planning Board meeting were:

Planning Board Members: John Ouimet – Chairman
 Don Roberts – Vice Chairman
 Tom Ruchlicki
 John Higgins
 Marcel Nadeau
 Tom Koval
 Richard Berkowitz

Planning Board Alternates: Margaret Sautter
 Mike Ziobrowski
 Corie Custer-absent

Director of Planning: Richard Harris
 Planner: Paul Marlow

Town Attorney: Lyn Murphy
 Deputy Town Attorney: Cathy Drobny

Town Board Liaison: John Wasielewski
 Jeremy Connors

*Chairman John Ouimet opened the Planning Board Meeting at 7:00 pm
 Don Roberts made a motion to approve the Minutes from the May 23, 2016 meeting. Rich Berkowitz seconded.
 Motion Approved.*

John Ouimet and John Higgins recused themselves from the minutes vote because John Ouimet was not at the last meeting and John Higgins did not have the opportunity to read through the minutes.

Public Hearing:

16.069 Ryan Telecommute, 1 Sparrowhawk Circle (Falcon Trace)- In Home Occupation

John Ouimet: Would anyone like the notice read? If not go ahead, give us your meeting

Norine Ryan: Hello I am just requesting to work out of my home. My telecommute its just me and my computer, no customers no signs no, my name is Norine my last name is Ryan.

John Ouimet: And your work hours are what are your work hours of the week?

Norine Ryan: My office hours are 8 to 5 work in between those hours.

John Ouimet: 8-5, Mon, Tuesday, Wednesday, Thursday?

Norine Ryan: Monday through Friday.

John Ouimet: Monday through Friday, ok. Anyone from the public wish to speak? If not I'll close the public hearing, anyone from the Board any questions?

Rich Berkowitz made a motion to Approve Ryan Telecommutes In Home Occupation application. John Higgins seconded. Motion Approved.

New Business:

16.09 Allen Financial, 14 Corporate Drive - Sign

John Abele: Hi, I'm John Able from Able Builders and as you already know we have a new tenant, and we are seeking approval for a new sign to place on the already existing sign.

John Ouimet: Any questions from the Board?

John Higgins: You are just swapping right, just swapping out?

John Able: Yea it's a 4 x 32 inch label as you see.

John Higgins: Yea, yup.

John Higgins made a motion to approve Allen Financials Sign application. Rich Berkowitz seconded. Motion Approved.

16.088 Dukes Grove, 486 Hudson River Road - Sign

Don Neddo: That's me.

John Ouimet: Can you just give us a quick thumbnail sketch as to what you want to do?

Don Neddo: The Dukes Grove is just like Krause's and the other groves there serving the public Friday, Saturday and Sunday, on weekends.

John Higgins: I'm sorry just for the record we need your name please.

Don Neddo: Oh, Don Neddo.

John Higgins: Thank you.

John Ouimet: Don have you had an opportunity to look at the proposal?

Don Roberts: Yes I have Ill make a motion to approve, oh Lyn you want to read something?

Marcel Nadeau: Do you have permission to use that likeness of John Wayne?

Don Neddo: Yes I do.

Lyn Murphy: Obviously for purposes of the record we don't regulate copy and any approval of this board by of the sign doesn't mean that we are in any way authorizing any possible infringement on copyright with regard to the use of the sign.

Marcel Nadeau: Ok.

Don Roberts: With that being said I'll make a motion to approve.

Don Roberts made a motion to Approve Dukes Grove's Sign Application. Rich Berkowitz seconded. Motion Approved.

16.086 **A. Valente, 58 Tabor Road - Minor Subdivision**

Anthony Valente: Sorry about that I apologize for making you wait.

John Higgins: I'm sorry we need your name please.

Anthony Valente: My name is Anthony Valente, I'm here for my subdivision on my property 58 Tabor road. I was here before you last year, I had gotten the subdivision, when approved there was a problem when I filed my map up at the county clerks office and it didnt get filed properly, so here I am, in Town of Halfmoon you have to start back over and do the subdivision over again. I'm not doing anything different than I did before, I'm just here before you asking for the same thing that I got last year.

John Ouimet: Any other questions? Can I get a motion to set a public hearing?

John Higgins made a motion to set a public hearing for A. Valente's Minor Subdivision Application for the next meeting on June 27, 2016. Tom Koval seconded. Public Hearing set.

16.083 **Our Place Bar and Grill, (Frankie C's Family Pub) 46 Rte 146 - Change of Tenant/Use**

John Ouimet: Good evening.

Michael Caluccio: My name's Michael Caluccio, and I'm asking for your consideration for your approval to change tenants to Our Place Bar and Grill. The last day of the current tenant is expected to be June, I'm sorry July 4th, so I'd like to be able to go in on the 5th, I'm filing my liquor license on Friday if approved.

John Ouimet: So as of right now is the place closed down?

Michael Caluccio: No, there is a current tenant, Frankie C's Family Pub is currently a tenant, I represent Shane and Brennan LLC, who owns the property as well as the new CEO of its Mr. C's Pub Inc. the DBA.

John Ouimet: Right and that's gonna change as of the 4th of July?

Michael Caluccio: Correct, he is expected to be out on, I'm sorry the 5th of July which is a Tuesday.

John Ouimet: Ok, any questions from the board? If not can I have a motion?

John Higgins: Now presently the hours are till midnight, you want to change the hours till 4 am on Monday through Saturday is that correct?

Michael Caluccio: that is correct, its going to mirror the same as Mr. C's Pub Inc. that was there for years.

John Higgins: Well apparently we were told that their approval was only till midnight.

Michael Caluccio: From Saratoga County?

John Higgins: No from Town of Halfmoon.

Michael Caluccio: Oh I was not aware of that, but I guess I'm asking for permission to stay open till 4 am.

John Higgins: That's what's on the application, we're just confirming that.

John Caluccio: Yes, thank you.

Marcel Nadeau made a motion to Approve Our Place Bar and Grill's change of Tenant/Use application. Rich Berkowitz seconded. Motion Approved.

Old Business:

16.026 Parcland Estates PDD (Carol Jean Estates Apt.) - Amendment to PDD Recommendation

Jeff Williams: Hello Jeff Williams, Bruce Tanski Construction and Development. Parcland Estates PDD was created in 1996 since then its been renamed, its Carol Jean Estates. Its located on Cemetery road, Carol Jean Estates currently consists of 12, 8 unit apartment buildings, thats a total of 96 apartment units on 11.62 acres. The proposed amendment is to add .6 acres of neighboring property at 86-Cemetery road to the PDD, and then build one additional 8 unit building in the general vicinity of the added property. The proposed amendment will create 104 apartment units and will increase the area to 12.22 acres. Public sewer, public water is all onsite, we will use the existing access off Cemetery road that is currently being used for the rest of the apartment the new building will have 16 parking spaces which conforms to the required parking. We proposed this amendment to the town board back in February, they referred us to the Planning Board back in March, the planning board conducted a Public informational meeting at the last meeting in their March meeting and then since then we have submitted some detailed engineering plans to Clough Harbor the town engineers, we received a June 3rd comment letter and we responded with a June 7th written response addressing those concerns. At this point we are looking for a recommendation from the board in order for us to follow through with the amendment.

John Ouimet: Thank you, any questions from the board?

John Higgins: As far as the comments from the town engineer have they adequately addressed your questions and concerns?

Joe Romano: They responded to our recent letter with a response letter of their own indicating that they will address all of our comments as they move forward with the site plans. So we will have another technical review with more detailed plans when the time is appropriate.

John Higgins: Ok, thank you.

Rich Berkowitz made a motion to give a positive recommendation on the PDD amendment for Parcland Estates PDD. Marcel Nadeau seconded. Motion Approved

15.010 Subdivision of Linden Woods A&B (Linden Village PDD & Lands of Craver/Wright/Hughes), Dunsbach Road - Major Subdivision.

Donald Zee: Good evening my name is Donald Zee attorney for the applicant, since we appeared last we had submitted a response to several of the comments raised at the public hearing by the board as well as by the members of the public, included in our responses was the fact that we would place deed restrictions with regard to the open space to preclude any additional curb cuts or development any further roadway systems off of this property to lands to the west, north or south of the properties. There would be no additional roads that could be developed on this property. In addition on the lands of Hughes that only single family homes could be constructed, there have been residents concerned about people coming in and asking for Duplexes, we put a restriction there, and we also would put a restriction on all of the lands owned by Hughes with regard to no further subdivision. There is no need to do that for the PDD because there's specific Zoning in place for that. In addition we had done some additional traffic analysis and submitted to Clough Harbor for their review and they have submitted a response letter to that analysis, as well as we have received comments from NYS DOT which they accepted our methodology and our findings and our proposals with regards to the traffic in this area. In Clough Harbors June 1, letter they requested further analysis and that deals with traffic counts along Ponderosa road because there is concern by members of the public about cut through traffic and we had submitted a chart with regard to that which indicated that the volumes of traffic during the peak hours during both the week day and during week ends that the traffic levels are acceptable levels of what town highways are permitted, in fact based on our analysis with regard to Saturday peak travel that there would in fact be added I believe, approximately five additional vehicles during the peak hours and during the week day, there would be 8 additional cars during the peak hours, those levels are below 70 cars per hour in the subdivision during the peak hour. And so you are talking about one additional car every minute or so or less.

John Ouimet: Any questions from the board?

John Higgins: One of the notes as far as the closing of Dunsbach road culvert a trash tract to be installed, is the applicant going to install that?

Donald Zee: Yes

John Higgins: ok it's not an obligation of the town?

Donald Zee: No, and what we had mentioned in the public record last time is that part of the home owners association documentation we would set aside money for future maintenance to make sure that the rack is cleaned up and the amount that would be set aside would be subject to the town engineer and your DPW's review to make sure that its an adequate amount.

John Higgins: Ok thank you.

Marcel Nadeau: We were under the impression that the neighbors concerns have been met.

Donald Zee: Yes, we believe they have and we have gotten copies of correspondence and some of the things they had been looking for was some landscaping for buffering as well as I guess a gazebo which we would place in the open space area for the PDD.

Marcel Nadeau: Rich were you referring to the Cravers on that?

Rich Berkowitz: The Cravers, the Wrights, and the Browns.

Marcel Nadeau: Any documentation stating thats been taken care of?

Rich Berkowitz: Just what we have been told by Mr. Zee and also by our planning dept.

Richard Harris: Yea there in the May 20th response letter there are answers to some of the resident's requests.

Marcel Nadeau: I'm talking about the Craver residence.

Richard Harris: Yep, the Cravers are here, the correspondence from the Cravers I received, they're satisfied with the subdivision aspect of the property and please wave your hand if I'm saying it wrong, they did request buffering to lands to the north of Hughes, Ivan's responded by email that he will be adding landscaping to help buffer the north side of their property. Another item they brought up is the gazebo that has been shown on prior plans. We believe its the gazebo thats been shown for the part A Linden Village part I believe, cause that at one time showed a gazebo there, otherwise I wasn't sure what gazebo you meant, but they have agreed to do a gazebo as part of part A, it was called Linden Village Linden Woods Part A.

Donald Zee: That's correct.

Richard Harris: I believe that was everything, the only kind of outstanding item that I'm not clear on is Irene Browns comments regarding the 100 ft pine trees that are on your property but on the southern border of her property whether she had requested they be removed and that landscaping be installed or a fence there, its the only one I'm not sure of.

Donald Zee: Ivan has had a botanist go out there, a tree expert and right now those trees are in good shape and we think that they are attractive for the entrance to the site, if it turns out during the course of construction that they are found to be deficient we would obviously remove it for safety purposes, but as of right now they are strong standing trees and we would hate to remove 100 year old trees when they are an asset to the subdivision and to the community.

John Ouimet: I'm not sure that answers your question. So the trees will stay for now and that's fine. Any other questions? I need a motion on SEQR.

Lyn Murphy: As the board recalls this was two parts, the PDD has already, you've already made your SEQR determination it would be helpful if you so believe to just state for the record that this is consistent with the SEQR determination made as part A and then as part B you need to determine whether or not you think a positive or a negative dec is appropriate.

Rich Berkowitz made a motion to make a negative declaration pursuant to SEQR pertaining to part B as being consistent with part A. Tom Ruchlicki seconded. Motion Approved.

Rich Berkowitz made a motion for Preliminary Approval of Linden Woods Major Subdivision A & B application. Tom Koval seconded. Motion Approved.

Tom Ruchlicki made a motion to Adjourn the Planning Board meeting at 7:20pm. Rich Berkowitz seconded. Meeting Adjourned at 7:20pm.